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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 001686

SIPDIS

STATE FOR SA/INS

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [MV](#)

SUBJECT: MALDIVES: GOVERNMENT LIFTS EMERGENCY FOLLOWING
AMBASSADOR'S VISIT

REF: A. STATE 216176

[B](#). COLOMBO 1610

[C](#). COLOMBO 1582

[D](#). COLOMBO 1516

Classified By: AMB. JEFFREY J. LUNSTEAD. REASON: 1.4 (B,D).

SUMMARY

[1](#). (C) In an October 6-7 visit to Maldives, Ambassador urged the President, Attorney General and Cabinet Ministers to relax the State of Emergency, continue the process of democratic reform, and improve conditions for detainees, including restoring the right to legal counsel. He emphasized that reconvening the Special Majlis (which is scheduled for October 12) without the participation of Members in detention could raise serious questions about the credibility of Government reform efforts. In an unprecedented move, the Government also allowed the Ambassador unsupervised conversations with detained Members of the Special Majlis. President Gayoom indicated to the Ambassador that he believes that some of the detained MPs were involved in a plot to overthrow his government and will likely be charged accordingly. Just before the Ambassador's departure the evening of October 7, the Government Spokesman informed him that the State of Emergency will be lifted before October 12 and that the President had decided to allow the detainees access to legal counsel, reading materials and exercise. (Note: The Government lifted the State of Emergency early the following day. End note.) President Gayoom asked for an update on the status of Guantanamo detainee Fowzy. The Government seems anxious to repair the diplomatic damage wrought by its earlier rebuff of visiting EU Chiefs of Mission (Ref D) and to defuse international criticism of its actions after August 12-13. If, however, the Government reconvenes the Special Majlis without the very Members who pushed for its formation, the credibility of its commitment to reform will continue to be questioned. End summary.

GOVERNMENT VIEW: UNDER SIEGE

[2](#). (SBU) The Ambassador visited Maldives October 6-7 and met with President Maumoon Abdul Gayoom; Deputy Foreign Minister Shihab Hussain and Foreign Secretary Abdul Zakariyya; Home Minister Umar Zahir; Defense Minister Ismail Shafeeu; and Attorney General Hassan Saeed. In addition, he also met with members of the Maldives Human Rights Commission, Indian High Commissioner S. Gavahi, UNDP Resident Representative Moez Doraid, and Members of the Special Majlis detained after the demonstrations of August 12-13.

[3](#). (C) With Government of the Republic of Maldives (GORM) interlocutors, the Ambassador welcomed the October 5 signing of a Memorandum of Understanding between the GORM and the International Committee of the Red Cross (ICRC). (Note: ICRC will likely have its first visit to detainees in November after Ramadan. End note.) Noting GORM plans to reconvene the Special Majlis on October 12, he cautioned that holding such a meeting without the participation of more than 10 percent of its membership (who remain in detention since the demonstrations) could severely diminish the credibility of the Special Majlis as a reform body and raise serious questions about GORM intentions about reform. If reconvening the Special Majlis is viewed as a facade to pass only cosmetic reforms, it could be worse than not reconvening the body at all. The desire for reform among ordinary Maldivians appears both broad-based and deep-seated; attempts at suppression could subvert that healthy desire into negative and destructive channels like radicalism, he warned. As a friend of Maldives, the U.S. wants to see the country progress along the path to reform and greater democratization. Moreover, the credibility of evidence against detainees gathered under a State of Emergency, when the normal checks and balances of the legal system have been suspended, may be questioned by the international community

and ordinary Maldivians, he said.

14. (C) He pressed the President to lift the State of Emergency and continue with proposed reforms as soon as possible. The Ambassador noted that while none of the detainees he interviewed showed signs of physical abuse, many seemed to display symptoms of acute psychological stress, which could be attributed to their extended solitary confinement. Many complained that they had been interrogated only briefly and wondered why they were being held for "investigation" if they were not being investigated, he reported. If the Emergency cannot be lifted for reasons of national security, he urged the Government to restore the detainees' right to legal counsel and make other improvements in their conditions, including allowing them access to reading material, exercise and more frequent family visits. (Note: Detainees are allowed one visit every 20 days. A few prominent detainees have had more frequent visits. End note.)

15. (C) GORM interlocutors, including the President, indicated that the State of Emergency would likely be lifted before the Special Majlis reconvened on October 12. The President noted that he had drafted some articles for a new Constitution for the Majlis' consideration. "I don't mean they have to pass (his proposed draft); may be released in time to participate in the October 12 session, both the Attorney General and the President indicated, but others will likely remain in detention to face "very serious charges" of conspiring against the Government. The Attorney General is in the process of drawing up these charges. The demonstrations of August 12-13 were "the culmination of a long-time process," the President charged, involving various groups, including "fundamentalists, political activists and common criminals" conspiring to overthrow the government. The results of ongoing investigations, once disclosed, will substantiate that charge, the President promised. He undertook to review the conditions of detention the Ambassador cited, indicating that he would consider allowing the detainees access to legal counsel, reading material, exercise and more frequent family visits. (Note: Just before the Ambassador left Maldives the evening of October 7, the Government Spokesman told him that the President had decided to restore the detainees' right to legal counsel and make other improvements in their conditions and that the State of Emergency would be lifted in the next few days. The State of Emergency was lifted early October 8, according to the Government-owned website. End note.)

16. (C) President Gayoom also asked for an update on the case of Guantanamo detainee Ibrahim Fowzy. The Ambassador advised the President that Fowzy's case remains under active review.

DETAINEES COMPLAIN OF ISOLATION

17. (C) On October 6 the Ambassador met with 10 Members of the Special Majlis detained on Dhoonidoo Island. (Two of the detainees are also Members of the Regular Majlis.) An eleventh MP was in the hospital and not available to be interviewed. At the Ambassador's request, the Government agreed to allow him some unsupervised discussion with each of the detainees--the first time the Government has granted that request to anyone. (Note: Under the agreed arrangement, a police escort was present for part of the conversation. At the Ambassador's request, the policeman left at the end of each interview, giving each detainee an opportunity to speak to the Ambassador in private. Surprisingly, none of the detainees said anything during this confidential exchange that they had not already said during the supervised portion of the interview. End note.)

18. (C) With the exception of one detainee, who complained of being roughly handled when he was first arrested, none of the detainees complained of physical abuse. Each said he had adequate food and access to medical care. All complained of severe psychological stress--and many showed evidence of such strain--because of their extended detention in solitary confinement. The prisoners are strictly forbidden from communicating with one another; doing so means the revocation of "privileges" like food and water, according to one detainee. Except for the Koran, they are not allowed reading or writing material. (One detainee's request for a copy of the Constitution was denied.) Except for a few detainees who have been given a special exemption for medical reasons, most are confined in 8x8 cells with no opportunity to exercise. Family visits are rare and heavily supervised. Most detainees have been permitted only one visit. Only wives, apparently, are permitted to visit; even babies and small children are not allowed. One detainee's request to telephone his children (one and three years old) was denied. Many also complained that they had been interrogated only briefly. One detainee, who said he had been interviewed for no more than ten minutes in a three-week span, asked rhetorically why he was being detained for investigation if

he was not being investigated. Many inferred from the GORM's apparent lack of interest in interviewing them that other "evidence" against them was being compiled. Some said that the police had confiscated computer equipment from their homes several weeks earlier and speculated that the GORM might plant incriminating e-mails or other documents to build a case against them. A number of detainees intimated that the Government seemed to be focusing its attention--and thus likely its case--on Ibrahim Gasim, a prominent businessman and popular new Member of the Special Majlis who had seemed poised to win the post of Speaker.

19. (C) Each detainee denied that he was seeking to overthrow the government. A few said that they hoped President Gayoom would finish out his current term and leave a legacy of democratic reform that the whole country could be proud of. Gasim himself, who said he had been given anti-depressants and whose hands were shaking, said he was suffering from "mental problems" as a result of sleep deprivation in the early days of his confinement. (Note: He appeared to be suffering from acute psychological strain. End note.) His wife was attempting to bring a neurologist from Germany, he reported, but it seemed uncertain that the GORM would permit the doctor access to him. He denied ever giving money to "Sheikh" Farid, a radical Muslim preacher facing subversion charges. "I want women to be able to run for President," he declared; "Farid is against that." "People are framing me," he concluded sadly. Ibrahim Zaki, a former SAARC Secretary General and government servant for 38 years, also seemed to be showing signs of mental stress. Declaring that he was suffering from heart and back problems, he said that he had signed a "statement," after which, he believes, he will be released from detention and given time with his family before being sent to the hospital.

COMMENT

10. (C) The GORM realizes it must repair the diplomatic damage done by its reaction to the events of August 12-13 and its ill-judged treatment of a high-level EU delegation reviewing the situation (Ref D). The lifting of the State of Emergency, promised improvements in the detainees' conditions and the October 5 signing of the MOU with ICRC are all encouraging developments. That said, it seems certain that the GORM will proceed with "very serious charges"--possibly relating to treason or subversion--against at least some of the detained MPs. These events will cast a long shadow over the next sitting of the Special Majlis and could undermine its ability to pass credible reforms. A reconstituted Special Majlis, neutralized by the absence of the most active and vociferous proponents of reform, is unlikely to satisfy most Maldivians' genuine desire for greater democratic change.

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